

IAP12 Rec'd PCT/PTO 18 JAN 2006

Re Point V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Most Proximate Related Art

1. Reference is made to the following documents:

D1 = DE 197 32 924 A
D2 = EP 1 066 181 B

Claim 1

2. The present patent application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel in the sense of Article 33(2) PCT.

2.1. D1 discloses a method for starting an engine (2, Figure 1) of a vehicle (1), a check being performed in the event of a start input (block 101, Figure 2) and at least one vehicle brake being activated when the vehicle standing still (block 104; column 12, lines 28-45) and the start of the engine being enabled following the activation of the vehicle brake (block 105; column 12, lines 45-49).

Please note: The method described in D1 relates to a vehicle at a standstill or a parked vehicle. For one skilled in the art it is obvious to check the speed of the vehicle in order to determine precisely whether the vehicle is at a standstill and then to carry on with the method.

- 2.2. D2 shows a method for starting an engine and a parking brake system for supporting the start of a vehicle from

rest, a vehicle brake being activated during the start of the engine so as to be able to prevent the vehicle from accidentally rolling away.

Please note: Such an aid to starting from rest helps the driver to start up from every stop, it particularly controls the various vehicle systems (brake, clutch, starter etc.) so that e.g. the vehicle may be started up again on a steep road without much effort on the part of the driver. Within the scope of a stop-and-go strategy, an aid to starting from rest must be sure to start the internal combustion engine because the engine is turned off at every stop and must subsequently always be started again.

3. The other dependent Claims 2 through 7 do not seem to be novel or inventive with reference to D1 and D2.
- 3.1. With respect to Claims 5 and 6, the method of D1 checks whether the clutch of the vehicle is activated and whether a drive of the vehicle is disconnected from the engine.